

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

NATIONWIDE AGRIBUSINESS
INSURANCE COMPANY,

Plaintiff,

vs.

SMA ELEVATOR CONSTRUCTION
INC., *et al.*,

Defendants.

No. C 09-4002-MWB

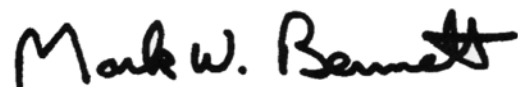
**ORDER DISMISSING DEFENDANT
S-M ENTERPRISES, INC.,
WITHOUT PREJUDICE**

This case is before the court on the motion of defendant S-M Enterprises, Inc., for dismissal without prejudice, and without costs or disbursements to either party, of all claims of the plaintiff against defendant S-M Enterprises, Inc., pursuant to a stipulation signed by counsel for the plaintiff and for defendant S-M Enterprises, Inc. The court finds good cause for voluntary dismissal without prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure.

THEREFORE, all of plaintiff's claims against defendant S-M Enterprises, Inc., are **dismissed without prejudice** and without costs or disbursements to either party.

IT IS SO ORDERED.

DATED this 12th day of March, 2010.



MARK W. BENNETT
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA